

CONGRESSIONAL LEADERSHIP FUND



2014 MAR 13 11:11:58

OFFICE OF THE
CLERK

MUR # 6796

March 6, 2014

Daniel A. Petalas, Esq.
Associate General Counsel for Enforcement
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Illegal Coordination Complaint Against House Majority PAC, the Largo /
Mid-Pinellas Democratic Club, and Alex Sink for Congress

Dear Mr. Petalas,

This letter serves as a formal complaint filed pursuant to 2 U.S.C. § 437g(a)(1) against House Majority PAC, the Largo / Mid-Pinellas Democratic Club (the "Party"), and Alex Sink for Congress (the "Sink Campaign"). There is strong and ample reason to believe that House Majority PAC, the Party, and the Sink Campaign have violated the Federal Election Campaign Act of 1971, as amended (the "Act") and Federal Election Commission ("Commission") regulations by illegally coordinating a television ad attacking by name David Jolly, the Republican candidate for the U.S. House of Representatives in the upcoming March 11 special election in Florida's 13th Congressional District.

As set forth below and in the attached materials, House Majority PAC's illegal coordination with both the Party and the Sink Campaign is evident from (1) the Party President's admission that the Sink Campaign privately conveyed information about its campaign "goals and needs" to the Party; (2) press accounts indicating that the Party assented to and was materially involved in the creation of the ad; and (3) the fact that the Party's Treasurer appears at length in the ad itself. Accordingly, the Commission should expeditiously investigate and impose all appropriate penalties and sanctions on House Majority PAC, the Party, and the Sink Campaign for their patently illegal coordination.

I. FACTUAL BACKGROUND

David Jolly is the Republican candidate for the U.S. House of Representatives in the upcoming March 11, 2014 special election in Florida's 13th Congressional District.¹ Alex Sink is Mr. Jolly's Democratic opponent.² Alex Sink for Congress is Ms. Sink's principal campaign committee.³ The Largo / Mid-Pinellas Democratic Club is a local party committee "chartered by the Florida Democratic Party and the Pinellas County Democratic Party."⁴ Elizabeth Snedeker is the Party's Treasurer.⁵

¹ Deborah Clark, Supervisor of Elections, Pinellas County, Special General Election - Congressional District 13 & Municipal Elections, at <https://www.votepinellas.com/?id=2140>.

² *Id.*

³ See FEC Committee ID C00551226, Form 1, filed Oct. 31, 2013.

⁴ Largo / Mid-Pinellas Democratic Party, About Us, at <http://www.largodemocrats.com/AboutUs2001July-2011.htm> (last visited Feb. 18, 2014) (attached as Exhibit A); see also Pinellas County Democratic Party, Democratic Clubs

House Majority PAC is "the super PAC focused on . . . helping Democrats win seats in the [U.S.] House [of Representatives]"⁶ House Majority PAC recently released a television ad in Florida's 13th Congressional District titled, "We Saw," featuring Mrs. Snedeker and her husband Rod Snedeker, which attacks Mr. Jolly repeatedly by name and image. The ad may be seen on House Majority PAC's YouTube channel.⁷

On February 6, 2014, a week before the ad started running, the Party's president Rich Piper posted on the Party's website that, at its January 20, 2014 meeting, the Party had heard from "four field organizers for the Alex Sink for Congress campaign; and each of them spoke briefly about her territory and the goals and needs of the Sink campaign for Congress in District 13."⁸

House Majority PAC's "We Saw" ad then began running on or about February 13, 2014, and was slated to continue through February 25, 2014.⁹ Prior to the ad's initial air date, Mr. "Snedeker said House Majority PAC called the [Party] looking for someone to be in the ad. A crew spent about seven hours with them to produce the 30-second spot, which has aired constantly on local TV."¹⁰ Regarding House Majority PAC's request to the Party, Mrs. Snedeker said, "We didn't object to the idea at all."¹¹

II. LEGAL ANALYSIS

The Act and Commission regulations prohibit coordination between a political campaign or a political party committee and a super PAC.¹² Illegal coordination results when, among other things, a political campaign or a political party committee engages in "substantial discussion" of campaign "plans, projects, activities, and needs," or "assents" to or has "material involvement" in the creation or production of a Super PAC's communications.¹³ "Material involvement" includes "being materially involved in decisions regarding . . . [t]he content of the

and Caucuses, at <http://www.pinellasdemocrats.org/about-us/democratic-clubs-and-caucuses> (last visited Feb. 18, 2014) (attached as Exhibit B).

⁵ About Us, *supra* note 4.

⁶ House Majority PAC, Our Story, at <http://www.thehousemajoritypac.com/about-us/our-story> (last visited Mar. 18, 2014).

⁷ YouTube, House Majority PAC, FL-13: David Jolly - "We Saw," at http://www.youtube.com/watch?v=jGLkm_hFunA (last visited Feb. 18, 2014).

⁸ Largo / Mid-Pinellas Democratic Party, From the President's Desk, Feb. 2014, at <http://www.largodemocrats.com> (last visited Feb. 18, 2014) (emphasis added) (attached as Exhibit C).

⁹ Alex Leary, *Super PAC ad uses Largo retirees to blast Jolly over Social Security*, TAMPA BAY TIMES, Feb. 13, 2014, at <http://www.tampabay.com/blogs/the-buzz-florida-politics/super-pac-ad-uses-largo-retirees-to-blast-jolly-over-social-security/2165476> (last visited Feb. 18, 2014) (attached as Exhibit D).

¹⁰ Alex Leary, *About that senior couple in Democratic ad attacking Jolly*, TAMPA BAY TIMES, Feb. 17, 2014, at <http://www.tampabay.com/blogs/the-buzz-florida-politics/about-that-senior-couple-in-democratic-ad-attacking-jolly/2166011> (last visited Feb. 18, 2014) (attached as Exhibit E).

¹¹ *Id.*

¹² See 2 U.S.C. § 441a(a)(7)(B)(ii); 11 C.F.R. § 109.21(b).

¹³ See 11 C.F.R. § 109.21(d).

communications.”¹⁴ Local party organizations that are part of the official party structure are subject to this coordination prohibition.¹⁵

The Largo / Mid-Pinellas Democratic Club is part of the official Democratic Party structure at the local level and is, therefore, subject to the coordination prohibition. Accordingly, neither the Party nor the Sink Campaign was permitted to coordinate with House Majority PAC to create, produce, or distribute the “We Saw” ad.

There is, however, no question that illegal coordination did occur.¹⁶ First, the Party received at a private event information about the Sink Campaign’s “goals and needs” which constitutes “substantial discussion” of “plans, projects, activities, and needs.” This made the Party a conduit of prohibited coordinating information – from the Sink Campaign to House Majority PAC – material to House Majority PAC’s creation and distribution of the “We Saw” ad.¹⁷

Second, the Party’s discussion with House Majority PAC concerning the content of the ad, in particular, the Party’s suggestion of whom to cast in the ad constitutes both “assent” by the Party to create the ad and “material involvement” in the production of the ad that is clearly prohibited by the coordination regulations. Furthermore, Mrs. Snedeker is a Party officer and her appearance in the ad constitutes additional “material involvement” by the Party in the creation of the ad’s content.¹⁸

III. CONCLUSION

All of the above information, discussion, involvement, collaboration among the Sink Campaign, the Party, and House Majority PAC constitute illegal coordination under the Act and FEC regulations. Given this clear and brazen conduct, we respectfully ask that the Commission find reason to believe, with all deliberate speed, that House Majority PAC, the Party, and the

¹⁴ See 11 C.F.R. § 109.21(d)(2)(i).

¹⁵ Ads by outside organizations like Super PACs that “attack” a candidate and are coordinated with any party committee are considered contributions to the party as well as expenditures by the party. See 2 U.S.C. § 441a(a)(7)(B)(ii); 11 C.F.R. § 109.21(b). Any such expenditures must be made using only funds subject to the Act’s limitations, prohibitions, and reporting requirements. See 2 U.S.C. § 441i(b)(1) (prohibiting state and local party expenditures for “Federal election activity” (“FEA”) unless funds are regulated by the Act); 2 U.S.C. § 431(20)(A)(iii) (defining FEA to include advertising that “attacks” a candidate for office); see also 11 C.F.R. §§ 109.21(a) and 100.5(e)(4) (defining “party committee”). Super PAC funds are not subject to the Act’s limitations and prohibitions; therefore, Super PACs may not coordinate “attack” ads with state or local party committees.

¹⁶ The remainder of the discussion in this paragraph focuses on the third of the three regulatory criteria used to determine whether illegal coordination occurred. The other two criteria also are clearly satisfied. First, the ad was paid for by House Majority PAC. See 11 C.F.R. § 109.21(a)(1). Second, the ad refers repeatedly to Mr. Jolly and is being disseminated to the electorate within 90 days of the March 11, 2014 special election. See 11 C.F.R. § 109.21(c)(4)(i).

¹⁷ See 11 C.F.R. § 109.21(d)(3). To the extent one of the Party’s main goals is, by its own words, “to support and elect the duly selected nominees of the Democratic party in national, state, and local campaigns,” the Sink campaign’s goals and needs, as expressed at the Party’s January 20 meeting, certainly also became the Party’s goals and needs. See About Us, *supra* note 4.

¹⁸ See Advisory Opinion 2003-25 (Weinzapfel) (“[I]t is highly implausible that a Federal candidate would appear in a communication without being materially involved in one or more of the listed decisions regarding the communication.”) (citing 11 C.F.R. § 109.21(d)(2)).

Sink Campaign have violated the federal campaign finance laws so that voters in Florida's 13th Congressional District are spared from this illegal behavior for the remainder of the campaign, and to impose sanctions to the fullest extent under the law.

The above is correct and accurate to the best of my knowledge, information, and belief.

Sincerely,



Brian Walsh
President
Congressional Leadership Fund


SWORN TO AND SUBSCRIBED before me on this 6 day of March, 2014.



Notary Public

My commission expires:

8/14/2016

District of Columbia : SS
Subscribed and Sworn to before me
this 6 day of March, 2014


Notary Public, D.C.
My commission expires 8/14/2016



THE BOSTON GLOBE

[illegible]

About Us

The Largo/Mid-Pinellas Democratic Club is chartered by the Florida Democratic Party and the Pinellas County Democratic Party.

We are an active group of more than fifty members in mid-Pinellas County, Florida, who seek to stimulate interest in political and governmental affairs; to strengthen and to further the ideals and principles of the Democratic Party; to provide reasonable and ongoing financial support to the county Democratic Executive Committee; to promote participation among Democrats; to assist in identifying prospective Democratic candidates; to support and elect the duly selected nominees of the Democratic Party in national, state, and local campaigns; and to foster good fellowship among Democrats.

We meet on the third Monday of each month, at 7:00 p.m., at the Thirsty Marlin Grill, 351 West Bay Street, Largo. Please join us.

Largo/Mid-Pinellas Democratic Club Board of Directors

President	Rich Piper
Vice President	Lois Fries
Secretary	Mary Lou Ambrose
Treasurer	Elizabeth Snedeker
Director	Deborah Anderson
Director	Lodewijk van den Berg
Director - Photographer	Heidi Sanchez
Director - Webmaster	Wanda Schwerer
Outreach Director	Charlotte Maas
Director - Newsletter Editor	Kathleen Jamison

Why Join the Largo-Mid-Pinellas Democratic Club

The club provides a variety of ways to stay informed and involved in local, county, state and national political discussions. But we're not just about talk. We will be part of the action in finding the best candidates and getting them elected, as well as supporting the most important causes. We will write letters, make phone calls, knock on doors, register voters, and whatever else it takes to bring change to our communities, our county and our state.

But, just as important, we also want to make time to enjoy each other's company and celebrate each other's efforts at social events throughout the year. Grassroots politics is effective and fun!

As a member of the Largo/Mid-Pinellas Democratic Club you can:

- Meet other active Democrats.
- Meet and get to know your elected officials and potential candidates.
- Raise funds and work for candidates.
- Participate in community service projects.
- Hear speakers and discuss issues of local, state and national importance.
- Attend special events and monthly meetings.

For membership information, contact Rich Piper at President@largodemocrats.com or 588-0891.

ANNUAL DUES ARE JUST \$10

Exhibit B

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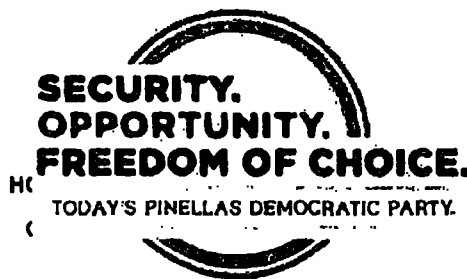
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796 office@pinellasedemocrats.com



HC ELECTED OFFICIALS NEWS GET INVOLVED
(TODAY'S PINELLAS DEMOCRATIC PARTY.

DEMOCRATIC CLUBS AND CAUCUSES

St Petersburg Democratic Club (StPeteDems)

Meets at the St. Petersburg Hilton - 333 1st Street S.
First Wednesday of each month
Social at 6:30PM; Meeting promptly at 7:00PM to 8:15 PM
President: Mike Fox
email: tampabaydemocracy@yahoo.com
Phone: (727) 320-4502

Greater Pinellas Democratic Club

Meets at Banquet Masters, 8100 Park Blvd N.,
Pinellas Park, FL
Second Thursday of each month
6:00PM to 8:30 PM
President: Mike Clifford
email: hbmorg407@aol.com
Reservations required, call (727) 360-3971
Dinner \$15.00
<http://www.greaterpinellasedems.org/>



**Greater Pinellas
Democratic Club**

Largo/Mid-Pinellas Democratic Club

Meets at Thirsty Marlin, 351 W. Bay Drive, Largo 33770
Third Monday of each month 7:00PM to 8:30 PM
President Rich Piper email: rpiper3404@aol.com
Phone: (727) 588-0891
<http://www.largodemocrats.com/>

HOME ABOUT US CANDIDATES ELECTED OFFICIALS NEWS GET INVOLVED CONTACT US

400 S. Walton Ave., Tarpon Springs.
Usually meets Third Monday of each month
7:00PM - See www.tarponspringsdemocrats.com
President: Gerald Goen
email: GJGoen@tampabay.rr.com
Phone: (727) 937-8590

South St Petersburg Democratic Club
Meets at Sanderlin Center
2335 22nd Ave. S., St. Pete 33712
First Saturday of each month
10:00 AM - 12:00 PM

Stonewall Democrats of Pinellas County
Meets at DEC HQ, 2250 1st Ave. N., St Pete
Third Thursday of each month
6:30 Social * 7:00PM Meeting
President: Susan McGrath
email: skmcgr1@aol.com

Democratic Women's Club of Upper Pinellas
Meets at Safety Harbor Library -102 2nd St., Safety Harbor
Fourth Monday of each month
Victoria Najjar President
727-744-1101

**SIGN UP FOR OUR
NEWSLETTER**

Email Address*

RECENT NEWS

Times recommends:
Alex Sink for U.S.
House February 15,
2014

UPCOMING EVENTS



Pinellas County Democrats

Like 933

CONTACT US

Exhibit C

CONFIDENTIAL

Largo/Mid-Pinellas Democratic Club

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[2010 Candidate News & Updates](#)

[Emergency Services/Shelters \(RCS\)](#)

Welcome to the **Largo/Mid-Pinellas Democratic Club**. We are an active group of about one hundred members in mid-Pinellas County, Florida, who seek to stimulate interest in political and governmental affairs; to strengthen and to further the ideals and principles of the Democratic Party; to provide reasonable and ongoing financial support to the county Democratic Executive Committee; to promote participation among Democrats; to assist in identifying prospective Democratic candidates; to support and elect the duly selected nominees of the Democratic Party in national, state, and local campaigns; and to foster good fellowship among Democrats.

Our next club meeting will be **Monday, February 17, 7:15 p.m., at the Acropol Restaurant, 1170 Starkey Rd., Largo**. Our main speaker will be Julia Hathaway, Organizing Representative, Beyond Coal Campaign of the Sierra Club. For further information, contact Rich Piper at 727-588-0891 or rpiper3404@aol.com. For information about voting in Pinellas County please visit www.voteinpinellas.com

Posted at 10:08 PM in [Politics](#) | [Permalink](#) | [Comments \(0\)](#)

02/06/2014

From the President's Desk, Feb. 2014 - by Rich Piper

Our club enjoyed a great turnout for our January 20th meeting. Dolores Glass, our featured main speaker, addressed us on the flood insurance issues that are facing many in our county, both providing historical perspective and answering numerous questions in a calm, rational way. Many members told me how much they appreciated her presentation.

In addition, we heard from an array of candidates, including Florida Senate candidate Judithanne McLauchlan, County Commission candidate (and current Largo Mayor) Pat Gerard, Belleair Bluffs Commissioner and candidate for re-election on March 11 Joe Barkley, Clearwater Commission candidate Jon-Paul Rosa (also facing a March 11 election) and Largo Commission candidate Samantha Fenger (November 4 election). County Commissioner Janet Long introduced four field organizers for the Alex Sink for Congress campaign; and each of them spoke briefly about her territory and the goals and needs of the Sink campaign for Congress in District 13. A national political reporter, Susan Davis, from *USA Today*, also attended our meeting and talked with several of us afterward about the Congressional election.

At our meeting, the club membership voted unanimously to approve two motions presented by the executive board: one, to donate \$200 to Joe Barkley's re-election campaign; the other, to contribute \$50 per month until further notice to the Pinellas County Democratic Executive Committee and to pay our annual \$50 assessment to the DEC.

Many of our members are actively involved in the March 11 elections, and several are also quite engaged in the campaigns for November, in addition to keeping focused on issue campaigns from immigration reform to energy to health care.

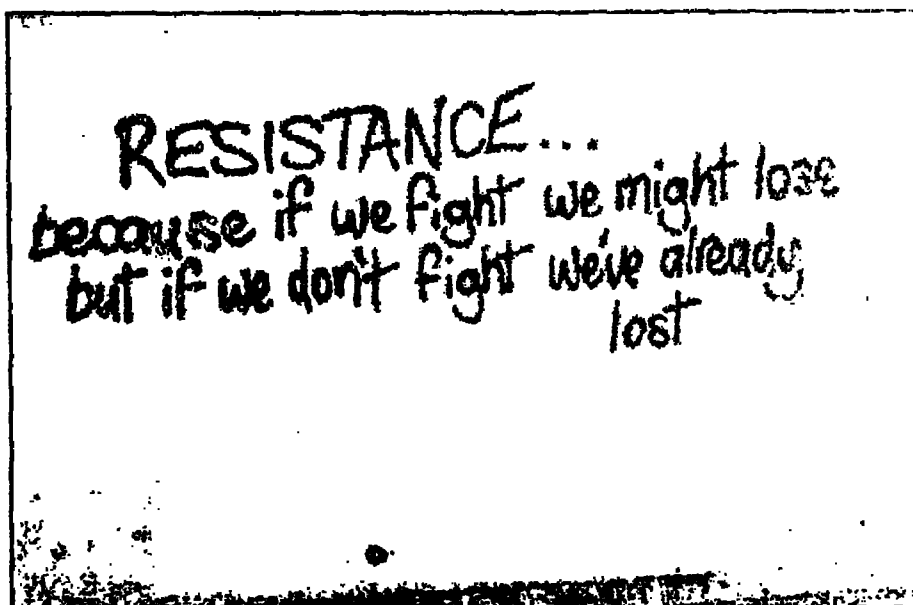
Nearly twenty of our members traveled down to the Alden Suites Resort on St. Pete Beach for a highly successful

fundraiser for the Pinellas County Democratic Executive Committee on January 25. This fundraiser featured speeches by Congressional candidate Alex Sink and almost all of the 2014 Democratic candidates in Pinellas County. Also capturing the interest and involvement of many in our club is the Ready for Hillary campaign, which attracted quite a few of our members to a \$25 per person kick-off at the St. Petersburg Marriott Hotel on January 27. Robert and Leslie Freedman, who organized the Ready for Hillary event, have expressed interest in coming to a future meeting of our club.

Our next club meeting will be at the Acropol Restaurant on Monday, February 17, at 7:15 p.m. The main speaker will be Julia Hathaway, the leader of the Beyond Coal Campaign of the Sierra Club. She'll be making a power point presentation and answering questions about this important effort to enhance our environment. Please mark your calendars and plan to attend.

Posted at 07:32 PM | [Permalink](#) | [Comments \(0\)](#)

01/27/2014



Posted at 01:23 PM | [Permalink](#) | [Comments \(0\)](#)

01/16/2014

Victory Fund Event

A Pinellas County Democrats Campaign Victory Fund Party for Candidates in the March Elections

Hosted by the Alden Suites

5900 Gulf Blvd., St. Pete Beach, FL 33706

Saturday, January 25th 2013

6:00 p.m. - 7:30 p.m.

Exhibit D

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Tampa Bay Times

THE BUZZ

From the staff of the Tampa Bay Times

Super PAC ad uses Largo retirees to blast Jolly over Social Security



Alex Leary, Times Washington Bureau Chief

Thursday, February 13, 2014 5:26pm

House Majority PAC is continuing to pound **David Jolly** over Social Security with this new ad featuring a couple from Largo. The couple, Elizabeth and Rod Snedeker, say how Jolly lobbied for Free Enterprise Nation and imply he tried to get private investment accounts for Social Security.

Jolly has denied that vehemently but has talked about long-term changes to Social Security and said private accounts could be one option, though not completely replacing the current government safety net.

The ad will run with the other House Majority PAC ad released this week and go through Feb. 25. House Majority PAC also poured another \$100,000 into the race, for a total of \$750,000, a spokesman said.

Trending Offers and Articles

Advertisement

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Tampa Bay Times

THE BUZZ

From the staff of the Tampa Bay Times

About that senior couple in Democratic ad attacking Jolly



Alex Leary, Times Washington Bureau Chief

Monday, February 17, 2014 5:58pm

The senior couple featured in a Super PAC ad attacking Republican David Jolly are not just an ordinary couple from the district. They are also active in Democratic politics.

Elizabeth and Rod Snedeker are featured in a House Majority PAC ad that implies Jolly is in favor of private Social Security accounts. The ad doesn't say it but the couple are active members of the Largo/Mid-Pinellas Democratic Club. They have also led Largo Citizens for Sensible Gun Laws.

But the Snedekers say they have no qualms about how they were portrayed. "We're not concerned with Social Security because we're Democrats," Mr. Snedeker, 86 and a former minister, said in a telephone interview this afternoon. "We're concerned with Social Security because we depend on it."

Snedeker said House Majority PAC called the local Democratic club looking for someone to be in the ad. A crew spent about seven hours with them to produce the 30-second spot, which has aired constantly on local TV.

Mrs. Snedeker said: "We didn't object to the idea at all. We would have objected had they put pressure on us."

The ad implies that Jolly lobbied for privatizing Social Security, a claim he says is false. He has said that "all options" regarding Social Security should be on the table -- but only for future generations.

House Majority PAC spokesman Andy Stone defended using partisans in the ad. "A former minister and piano teacher. Sounds pretty regular to me, no?" he wrote in email.

The Super PAC caused a stir with another ad that used the AARP logo in attacking Jolly over Social Security. AARP issued a statement disavowing the ad, saying it does not get involved in political campaigns.



House Majority PAC ad

YouTube